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(flood)

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IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 223 /2005

PETITIONERS : (1) Kailash Soni, Son of Shri Gendlal Soni, aged 40 years, resident of Sakari, Distt. Bilaspur (C.G.)

(2) Shambhu Dewangan, Son of Shri Laxmi Narayan Dewangan, aged 31 years, Resident of Katiyapara Juna Bilaspur, Bilaspur (C.G.)

P.R. No. 3/1/05 Presented by Shri DR Yadav dated 18/1/05

(3) Shiv Prasad Agre, Son of Shri J.K. Agre, aged 40 years, Resident of Taarbahar Bilaspur.

(4) Smt. Kumari Martina W/o Shri DauRam Martina, aged 45 years, Resident of Taarbahar Bilaspur.

(5) Shanker Yadav Son of Shri Badku-Yadav, aged 40 years, Resident of Taarbahar, Bilaspur (C.G.)

(6) Shiv Prasad Prajapati son of Shri Sadan Lal Prajapati, aged 37 years, Resident of Juna-Bilaspur, Distt. Bilaspur (C.G.)

(7) Ramesh Tiwari, son of Shri Sataya Narayan Tiwari, aged 40 years, Resident of Taarbahar Bilaspur (C.G.)

(8) Vibhishan Yadav son of Shri Bhukhan Lal Yadav, aged 45 years resident of Village Bharni Distt. Bilaspur (C.G.)

(9) Kaleshwar Singh Chauhan son of Shri Kunj Ram Chauhan, aged 45 years, resident og Village Baima, Distt. Bilaspur (C.G.)

(10) Shiv Prasad Yadav son of Shri Bhau Ram Yadav, aged 42 years, resident of Village Bharni Distt. Bilaspur (C.G.)

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(2)

All Petitioners C/o. Kailash Soni Son of Shri Bend Lal Soni R/o Sakari, Tahsil Sakari, District Bilaspur, (Chhattisgarh)

VERSUS

RESPONDENTS : (1) The Municipal Corporation Bilaspur; through its Administrator Bilaspur (C.G.)

(2) The Commissioner Municipal Corporation, Bilaspur (C.G.)

(3) State of Chhattisgarh; through Secretary, Department of Local Self Govt. D.K.S. Bhawan Raipur (C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/WRITS IN THE NATURE OF MANDAMUS CERTIORARI AND FOR DIRECTION/DIRECTIONS, ORDER/ORDERS.

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 223 OF 2005

Petitioners : Kailesh Soni and others

Versus

Respondents : The Municipal Corporation, Bilaspur & others

Shri J.S. Baraik, counsel for the petitioners.

Shri P. Diwakar, Senior counsel with Shri A.S. Kachhawaha, counsel for the respondents No. 1 and 2.

None for the respondent No. 3.

ORAL ORDER

(29th March, 2006)

1. The petitioners have filed this petition praying that the respondents be directed to appoint the petitioners as daily wages employees in compliance of the order dated 21.8.1997 passed by the Supreme Court in Civil Appeal No. 104/1996. The petitioners have further prayed that the respondents be directed to take them in employment immediately.

2. Shri P. Diwakar, Senior counsel with Shri A.S. Kachhawaha, counsel appearing for the respondents No. 1 and 2 clearly stated in their affidavit dated 16.1.2006 that the petitioners have been appointed vide letter dated 20.9.2005.

3. Learned counsel for the petitioners admits the position that the petitioners have been appointed on daily wages basis and as such nothing survives in this petition.

4. However, learned counsel appearing for the petitioners makes an oral submission that the petitioners be granted parity at the pay scale of regular employees of the Government. The petitioners have not submitted any pleadings and have not made any prayer to this effect in their petition. Hence, this prayer cannot be granted in this petition. However, the petitioners are at liberty to agitate the same, if so advised in separate proceedings.

5. In view of the foregoing, the writ petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu